

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MELANIE KELSAY,

Plaintiff,

vs.

MATT ERNST, individually and in his  
official capacity;

Defendant.

**4:15CV3077**

**ORDER**

After conferring with counsel,

IT IS ORDERED:

- 1) On or before September 4, 2020, Plaintiff's counsel shall file a notice with the court if she intends to proceed with litigation regarding whether "Ernst violated her Fourth Amendment rights by failing to remove handcuffs despite her repeated complaints of shoulder pain," (see Filing No. 75, at CM/ECF p. 9 n.1), in the absence of which the court will enter a judgment dismissing this case.
- 2) If Plaintiff notifies the court that she does intend to pursue a claim regarding failure to remove handcuffs, Defendant Ernst may file a brief responding to that notice within 10 days thereafter.
- 3) The clerk shall set an internal case management deadline of September 4, 2020.

Dated this 26th day of August, 2020.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge